

AMENDED IN ASSEMBLY MAY 24, 2013

AMENDED IN ASSEMBLY APRIL 1, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1194

**Introduced by Assembly Members Ammiano and V. Manuel Pérez
(Coauthors: Assembly Members Alejo, Levine, and Pan)**

February 22, 2013

An act to amend Section 2333.5 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1194, as amended, Ammiano. Safe Routes to School Program.

Existing law creates the Safe Routes to School Program, administered by the Department of Transportation in consultation with the Department of the California Highway Patrol. Existing law requires the Department of Transportation to award grants to local government agencies based on the results of a statewide competition, under which proposals submitted for funding are rated based on various factors. Existing law provides for the program to be funded from state and federal funds, as specified.

This bill would provide that the program may fund both construction and noninfrastructure activities, as specified. ~~The bill would require the program to be funded by an annual appropriation in the budget act of not less than \$46,000,000, consisting of federal and state transportation funds eligible to be expended for this purpose.~~ The bill would require 20% of program funds to be used for noninfrastructure activities, as specified. The bill would authorize the transfer of the responsibility for selecting projects and awarding grants from the Department of

Transportation to the California Transportation Commission, at the discretion of the Transportation Agency. The bill would require the Department of Transportation to employ a full-time coordinator to administer the program. ~~The bill would also delete references to a superseded federal transportation act.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2333.5 of the Streets and Highways Code
2 is amended to read:

3 2333.5. (a) The department, in consultation with the
4 Department of the California Highway Patrol, shall establish and
5 administer a “Safe Routes to School” program with the following
6 elements:

7 (1) Construction of bicycle and pedestrian safety and traffic
8 calming projects.

9 (2) Noninfrastructure-related activities to encourage walking
10 and bicycling to school, including public awareness campaigns
11 and outreach to press and community leaders, traffic education
12 and enforcement in the vicinity of schools, student sessions on
13 bicycle and pedestrian safety, health, and environment, and funding
14 for training, volunteers, and managers of safe routes to school
15 programs.

16 (b) The department shall award grants to local governmental
17 agencies under the program based on the results of a statewide
18 competition that requires submission of proposals for funding and
19 rates those proposals on all of the following factors:

20 (1) Demonstrated needs of the applicant.

21 (2) Potential of the proposal for reducing child injuries and
22 fatalities.

23 (3) Potential of the proposal for encouraging increased walking
24 and bicycling among students.

25 (4) Identification of safety hazards.

26 (5) Identification of current and potential walking and bicycling
27 routes to school.

28 (6) Use of a public participation process, including, but not
29 limited to, a public meeting that satisfies all of the following:

1 (A) Involves the public, schools, parents, teachers, local
2 agencies, the business community, key professionals, and others.

3 (B) Identifies community priorities and gathers community
4 input to guide the development of projects included in the proposal.

5 (C) Ensures that community priorities are reflected in the
6 proposal.

7 (D) Secures support for the proposal by relevant stakeholders.

8 (7) Benefit to a low-income school, defined for purposes of this
9 section to mean a school where at least 75 percent of students are
10 eligible to receive free or reduced-price meals under the National
11 School Lunch Program.

12 ~~(e) The program shall be funded by an annual appropriation in~~
13 ~~the Budget Act of not less than forty-six million dollars~~
14 ~~(\$46,000,000), consisting of federal and state transportation funds~~
15 ~~eligible to be expended for this purpose.~~

16 *(c) Any annual budget allocation to fund grants described in*
17 *subdivision (b) shall be in addition to any federal funding received*
18 *by the state that is designated for “Safe Routes to School” projects*
19 *pursuant to Section 1404 of SAFETEA-LU or any similar program*
20 *funded through a subsequent transportation act.*

21 (d) Any federal funding received by the state that is designated
22 for “Safe Routes to School” projects shall be distributed by the
23 department under the competitive grant process, consistent with
24 all applicable federal requirements.

25 (e) Prior to the award of any construction grant or the
26 department’s use of those funds for a “Safe Routes to School”
27 construction project encompassing a freeway, state highway, or
28 county road, the department shall consult with, and obtain approval
29 from, the Department of the California Highway Patrol, ensuring
30 that the “Safe Routes to School” proposal complements the
31 California Highway Patrol’s Pedestrian Corridor Safety Program
32 and is consistent with its statewide pedestrian safety statistical
33 analysis.

34 (f) The department is encouraged to coordinate with law
35 enforcement agencies’ community policing efforts in establishing
36 and maintaining the “Safe Routes to School” program.

37 (g) In the development of guidelines and procedures governing
38 this program, the department shall fully consider the needs of
39 low-income schools.

1 (h) Up to 10 percent of program funds may be used to assist
2 eligible recipients in making infrastructure improvements, other
3 than schoolbus shelters, that create safe routes to schoolbus stops
4 that are located outside the vicinity of schools.

5 (i) At the discretion of the Transportation Agency, the
6 responsibility for selecting projects and awarding grants under this
7 section pursuant to the statewide competitive grant process may
8 be transferred from the department to the commission.

9 (j) Twenty percent of program funds shall be used for
10 noninfrastructure-related activities as described in paragraph (2)
11 of subdivision (a). Up to 20 percent of the funds used for
12 noninfrastructure-related activities shall be used for a statewide
13 technical assistance resource center.

14 (k) The department shall employ a full-time safe routes to school
15 coordinator to administer the Safe Routes to School program.